United Nations A/C.2/58/L.2

General Assembly

Distr.: Limited
14 October 2003

Original: English

**Fifty-eighth session**
**Second Committee**
Agenda item 92
**Sectoral policy questions: preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin**

**Morocco:* draft resolution**

# Preventing and combating corrupt practices and transfer of funds and assets of illicit origin and returning such funds and assets to the countries of origin

*The General Assembly*,

*Recalling* its resolutions 54/205 of 22 December 1999 on the prevention of corrupt practices and illegal transfer of funds, 55/61 of 4 December 2000 on an effective international instrument against corruption, 55/25 of 15 November 2000 on the United Nations Convention against Transnational Organized Crime, 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin, 56/186 of 21 December 2001 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin and 57/244 of 20 December 2002 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

*Recalling also* the Monterrey Consensus of the International Conference on Financing for Development[1] which underlined that fighting corruption at all levels is a priority, and the Johannesburg Plan of Implementation of the World Summit on Sustainable Development,[2]

*Deeply concerned* with the seriousness of problems posed by continuing corrupt practices and transfer of funds and assets of illicit origin and return of such

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[2] A/CONF.199/20.

03-55664 (E) 151003

funds and assets to the countries of origin, which may endanger the stability and security of societies, undermine the values of democracy and civil ethics and jeopardize social, economic and political development, in particular when an inadequate national and international response leads to impunity,

*Taking note* of the global study on the transfer of funds of illicit origin, submitted to the Ad Hoc Committee for the Negotiation of a Convention against Corruption,[3] which noted the substantial amounts of money involved resulting in economic hardships for countries that had been victims of such corruption and the enormous obstacles to recovery,

*Noting* that Member States have different institutional arrangements and capacities to ensure the implementation of legislation on preventing corrupt practices and transfer of funds and assets of illicit origin and returning such funds and assets to the countries of origin,

*Considering* that the prevention of corrupt practices and transfer of funds and assets of illicit origin and the return of such funds and assets to the countries of origin have not been adequately regulated by national legislations and international legal instruments,

*Emphasizing* the responsibilities of all Governments to enact laws aimed at preventing and combating corrupt practices and transfer of funds and assets of illicit origin and return of such funds and assets to the countries of origin,

1. *Takes note* of the report of the Secretary-General on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin;[4]

2. *Welcomes* the entry into force of the United Nations Convention against Transnational Organized Crime;[5]

3. *Notes with appreciation* the completion of the work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption;

4. *Encourages* all Member States to participate in the high-level political Conference for the purpose of signing the United Nations Convention against Corruption, to be held at Merida, Mexico, from 9 to 11 December 2003;

5. *Also encourages* all Member States that have not yet done so to enact laws to prevent and combat corrupt practices and the transfer of illicit funds and assets and for the return of such funds and assets to the countries of origin;

6. *Further encourages* all Member States that have not yet done so to require financial institutions properly to implement comprehensive due diligence and vigilance programmes that could facilitate transparency and prevent the placement of illicit funds;

7. *Encourages* subregional and regional cooperation in the efforts to prevent and combat corrupt practices and the transfer of funds and assets of illicit origin and for the return of such funds and assets to the countries of origin;

---

[3] A/AC.261/12.

[4] A/58/125.

[5] Resolution 55/25, annex I.

8. *Calls* for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and address the transfer of funds of illicit origin, as well as to return such funds and assets to the countries of origin;

9. *Requests* the international community to support national efforts by, among others, providing technical assistance, strengthening human and institutional capacity to prevent corrupt practices and the transfer of funds of illicit origin and assets and returning such funds and assets to the countries of origin and formulating strategies for mainstreaming ethics and integrity in both the public and private sector;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the progress of implementation on this matter;

11. *Decides* to include in the provisional agenda of its fifty-ninth session a sub-item entitled "Preventing and combating corrupt practices and transfer of funds and assets of illicit origin and returning such funds and assets to the countries of origin".